

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.	1669.0040001/SRL
First Inventor	Alastair V. Ferguson
Title	Methods for Effecting Neuroprotection
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 37]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table,
or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Pages _____]
a. ☐ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR §§
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76.
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program
(Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Two return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Authorization under 37 C.F.R. § 1.136(a)(3) (in duplicate)
☐ Other: The name of the assignee is:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No: _____ / _____
Prior application information: Examiner _____ Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.


18. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

Customer No. 26111

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.				
	Attorneys at Law				
ADDRESS					
CITY		STATE		ZIP CODE	
COUNTRY		TELEPHONE		FAX	

NAME (Print/Type)	Steven R. Ludwig	Registration No. (Attorney/Agent)	36,203
SIGNATURE		Date	March 27, 2001

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

SKGF Rev 2/14/01 mac 1669004-1sb-05.wpd

PTO
09/817229
J1002 U.S. PTO

03/27/01

03/27/01
jc860 U.S. PTO

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com

11002 U.S. PTO
09/01/229
03/27/01

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX***
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL O. LEE
STEVEN R. LUDWIG

JOHN M. COVERT*
LINDA E. ALCORN
ROBERT C. MILLONIG
MICHAEL V. MESSINGER
JUDITH U. KIM
TIMOTHY J. SHEA, JR.
DONALD R. MCPHAIL
PATRICK E. GARRETT
STEPHEN G. WHITESIDE
JEFFREY T. HELVEY*
HEIDI L. KRAUS
JEFFREY R. KURIN
RAYMOND MILLIEN

PATRICK D. O'BRIEN
LAWRENCE B. BUGAISKY
CRYSTAL D. SAYLES
EDWARD W. YEE
ALBERT L. FERRO*
DONALD R. BANOWIT
PETER A. JACKMAN
MOLLY A. MCCALL
TERESA U. MEDLER
JEFFREY S. WEAVER
KRISTIN K. VIDOVICH
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE

GRANT E. REED
VINCENT L. CAPUANO
JOHN A. HARROUN*
ALBERT J. FASULO II*
W. BRIAN EDGE*
ELDORA ELLISON FLOYD*
W. RUSSELL SWINDELL
THOMAS C. FIALA
LONNY L. MULLER*
BRIAN J. DEL BUONO*
VIRGIL L. BEASTON*
RYAN J. STAMPER*

KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
ANDREA J. KAMAGE**
NANCY J. LEITH**
ELIZABETH J. HAANES**
MARK P. TERRY**

*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

March 27, 2001

WRITER'S DIRECT NUMBER: (202) 371-2626

INTERNET ADDRESS: SLUDWIG@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

Box: Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)
Appl. No. To be assigned ; Filed: Herewith
For: **Methods for Effecting Neuroprotection**
Inventors: Ferguson *et al.*
Our Ref: 1669.0040001/SRL

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. USPTO Utility Patent Application Transmittal Form PTO/SB/05 (in duplicate);
2. Fee Transmittal Form (PTO/SB/17) (in duplicate);
3. U.S. Utility Patent Application entitled:

Methods for Effecting Neuroprotection

and naming as inventors:

Alastair V. Ferguson, and
Jaideep S. Bains

the application comprising:

- a. specification containing:

Commissioner for Patents
March 27, 2001
Page 2

- i. 32 pages of description prior to the claims;
- ii. 4 pages of claims (Claims 1-22);
- iii. a one (1) page abstract;
- b. 5 sheets of drawings: (Figures 1-5);
- c. an Application Data Sheet (37 C.F.R. § 1.76);
4. 37 C.F.R. § 1.136(a)(3) Authorization to Treat a Reply As Incorporating An Extension of Time (in duplicate);
5. Our check No. 30775 for \$746.00 to cover:

<u>\$710.00</u>	filing fee for patent application;
<u>\$ 36.00</u>	fee for excess claims; and
6. Two (2) return postcards.

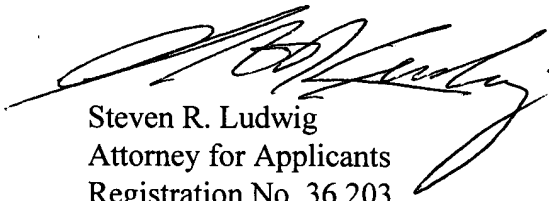
Correspondence should be sent to Customer Number 26111.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Steven R. Ludwig
Attorney for Applicants
Registration No. 36,203

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	To be assigned
Filing Date	Herewith
First Named Inventor	Alastair V. Ferguson
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	1619.0040001/SRL

TOTAL AMOUNT OF PAYMENT (\$)**746.00**

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036

Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee paid

105 130 205 65 Surcharge - late filing fee or oath

127 50 227 25 Surcharge - late provisional filing fee or cover sheet

139 130 139 130 Non-English specification

147 2,520 147 2,520 For filing a request for ex parte reexamination

112 920* 112 920* Requesting publication of SIR prior to Examiner action

113 1,840* 113 1,840* Requesting publication of SIR after Examiner action

115 110 215 55 Extension for reply within first month

116 390 216 195 Extension for reply within second month

117 890 217 445 Extension for reply within third month

118 1,390 218 695 Extension for reply within fourth month

128 1,890 228 945 Extension for reply within fifth month

119 310 219 155 Notice of Appeal

120 310 220 155 Filing a brief in support of an appeal

121 270 221 135 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,240 241 620 Petition to revive - unintentional

142 1,240 242 620 Utility issue fee (or reissue)

143 440 243 220 Design issue fee

144 600 244 300 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 130 123 130 Petitions related to provisional applications

126 180 126 180 Submission of Information Disclosure Stmt

581 40 481 40 Recording each patent assignment per property (times number of properties)

146 710 246 355 Filing a submission after final rejection (37 CFR 1.129(a))

149 710 249 355 For each additional invention to be examined (37 CFR 1.129(b))

179 710 279 355 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination of a design application

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

FEE CALCULATION

BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)					710.00

2. EXTRA CLAIM FEES

Extra Fee from below Fee Paid

Total Claims 22 - 20** = 2 X 18 = 36.00

Indep. Claims 3- 3** = 0 X 80 = 0.00


Multiple Dependent =

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	208	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Name (Print/Type)	Steven R. Ludwig	Registration No. (Attorney/Agent)	36,203	Telephone	202-371-2600
Signature				Date	March 27, 2001

Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
SKGF Rev. 11/13/00 mnac

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ferguson *et al.*

Appl. No. To be assigned

Filed: Herewith

For: **Methods for Effecting
Neuroprotection**

Confirmation No.

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 1669.0040001/SRL



**Authorization To Treat A Reply As Incorporating An Extension Of
Time Under 37 C.F.R. § 1.136(a)(3)**

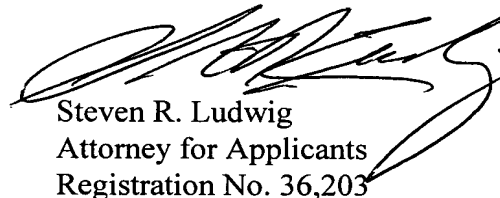
Commissioner for Patents
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Steven R. Ludwig
Attorney for Applicants
Registration No. 36,203

Date: 3/27/01
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

P:\USERS\SLUDWIG\1669\004-1\1669004-1.aut

SKGF 1/26/01 mac

HA
Sector



STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
ATTORNEYS AT LAW
1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934
PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com

ROBERT GENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX***
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL O. LEE
STEVEN R. LUDWIG

JOHN M. COVERT
LINDA E. ALCORN
ROBERT C. MILLONIG
MICHAEL V. MESSINGER
JUDITH U. KIM
TIMOTHY J. SHEA, JR.
DONALD R. MCPHAIL
PATRICK E. GARRETT
JEFFREY T. HELVEY*
HEIDI L. KRAUS
JEFFREY R. KURIN
RAYMOND MILLIEN
PATRICK D. O'BRIEN

LAWRENCE B. BUGAISKY
CRYSTAL D. SAYLES
EDWARD W. YEE
ALBERT L. FERRO*
DONALD R. BANOWIT
PETER A. JACKMAN
MOLLY A. MCCALL
TERESA U. MEDLER
JEFFREY S. WEAVER
KRISTIN K. VIDOVICH
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE
GRANT E. REED

VINCENT L. CAPUANO
JOHN A. HARROUN*
ALBERT J. FASULO II*
ELDORA ELLISON FLOYD*
W. RUSSELL SWINDELL
THOMAS C. FIALA
BRIAN J. DEL BUONO*
VIRGIL L. BEASTON*
RYAN J. STAMPER*
KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
ANDREA J. KAMAGE**
NANCY J. LEITH**

ELIZABETH J. HAANES**
MARK P. TERRY**
JOSEPH M. CONRAD, III**
DOUGLAS M. WILSON**
REGINALD D. LUCAS**
ANN E. SUMMERFIELD**
CYNTHIA M. BOUCHEZ**
HELENE C. CARLSON**
BRUCE E. CHALKER**
DUSTIN T. JOHNSON**
MATTHEW J. DOWD**

*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

July 25, 2001

WRITER'S DIRECT NUMBER:
(202) 371-2626
INTERNET ADDRESS:
sludwig@skgf.com

Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Utility Patent Application
Appl. No. 09/817,229; filed March 27, 2001
For: **Methods for Effecting Neuroprotection**
Inventors: Ferguson *et al.*
Our Ref: 1669.0040001/SRL/BLS

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal (Form PTO/SB/17) (in duplicate);
2. Copy of "Notice to File Missing Parts of Nonprovisional Application";
3. Declaration, executed by the inventors;
4. Letter to PTO Draftsman: Submission of Formal Drawings;
5. Five (5) sheets of Formal Drawings (Figures 1-5);
6. Return postcard; and
7. Our check no. 32002 for \$130.00 to cover the surcharge for late filing of declaration (37 C.F.R. § 1.16(e)).

09817229-072501

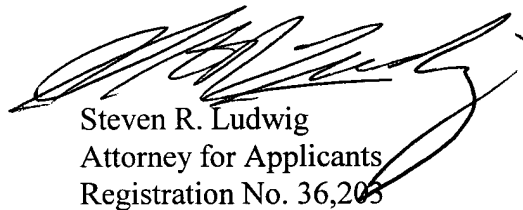
Commissioner for Patents
July 25, 2001
Page 2

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Steven R. Ludwig
Attorney for Applicants
Registration No. 36,203

SRL/BLS/dab
P:\USERS\DENISEB\1669\0041mpcov
Enclosures

FD-520-6227850